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April 19, 1995

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HAND DELIVERED

Mr. William Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

RECEIVED

APR 19 1995

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Re: Ex Parte -- MM Docket No. 92-260, RM 8380,
CC Docket No. 87-266

Dear Mr. Caton:

In accordance with Section 1.1200 et seq. of the Commission's rules, this is to advise that on Wednesday, April 19, 1995, Peter Price, President, Liberty Cable Company, Inc. ("Liberty"), Henry M. Rivera, Esq., and Jay S. Newman, Esq., met with John Nakahata, Special Assistant to the Chairman, to discuss Liberty's perspective, as contained in its previous filings with the Commission, on the above-captioned proceedings. The attachment to this letter was used in that discussion as well as a model to illustrate the cable inside wiring in multiple dwelling units. (Page three of the attachment contains a diagram of this model.)

An original and three copies of this letter and the attachment were filed with the Commission and a copy was delivered to the above-named Commission personnel on April 19, 1995.

Sincerely,

Jay S. Newman
Jay S. Newman

Attachments

cc: John Nakahata

JSN:cas
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April 19, 1995

LIBERTY CABLE COMPANY, INC.

- Liberty is a satellite master antenna television ("SMATV") operator that is successfully overbuilding and competing head to head in New York City with Time Warner, the local franchised cable company.
- Liberty currently services approximately 27,000 subscribers at dozens of sites in the New York metropolitan area.
- Almost all of Liberty's subscribers are in multiple dwelling units ("MDUs") -- cooperatives, condominiums and rental apartment buildings.
- Liberty also provides services to several hotels in Manhattan.
- Liberty is a pioneer in the use of the 18 GHz band to provide video services and has built the largest 18 GHz microwave network in the United States. Liberty was intimately involved in the efforts to obtain access to the 18 GHz band for the provision of video service.
- Liberty is also among the first MVPDs in the United States to test video dialtone service and technology.

LIBERTY CABLE COMPANY, INC.

CABLE HOME WIRING

- The demarcation point for cable home wiring in MDUs should be at the point:
 - * where the individual dedicated subscriber lines ("Individual Lines") can be detached from common lines ("Common Lines");
 - * without damaging the property or interfering with service to others;
 - * outside the subscriber's premises but on the MDU property.
- Cable home wiring should include conduits, moldings, gem boxes and other passive equipment used to hold cable home wiring.
- Cable home wiring should include splitters and other passive equipment used to connect Individual Lines to Common Lines.
- A wallplate demarcation point in MDUs is useless and will encourage abusive litigation.
- A wallplate demarcation point in MDUs will leave unanswered the legal status of Individual Lines located between the wallplate and the Common Line. This, as a result, will allow each of the fifty states, applying the common law of fixtures and chattels, to determine consumer access to Individual Lines by competing MVPDs.
- Cable home wiring should include a "loop through" system when all the subscribers on the "loop" switch to another MVPD. The MDU owner should acquire the "loop" (or affected parts).
- The cable home wiring rules do not cause a "taking" of property.

